

MINUTES
YANCEYVILLE PLANNING BOARD
January 21st, 2015
5:15 PM

The meeting of the Planning Board was held at the Yanceyville Municipal Services Building on January 21st, 2015 at 5:15 p.m.

Board members present: Chairman Fred Smith, Vice-Chairwoman Patricia Price Lea, Layton Everitt, Sylvia Johnson, and Darrell McLean.

Staff: Brian Collie, Town Manager.

1. Call To Order

Chairman Smith called the meeting to order at 5:15 PM.

2. Approval of 2015 Chair & Vice-Chair

Chairman Smith informed the Board that it was time to select the Chair and Vice-Chair for 2015. After short discussion Vice-Chair Lea made a motion that the Board approve Mr. Fred Smith as Chairman of the Yanceyville Planning Board for 2015. The motion was seconded by Mr. McLean and passed with a unanimous vote.

A motion was then made by Mr. Everitt to approve Mrs. Patricia Price Lea as Vice-Chairwoman of the Yanceyville Planning Board for 2015. The motion was seconded by Mr. McLean and passed with a unanimous vote.

3. Approval of Minutes- December 17th, 2014

After short review Mrs. Johnson made a motion to approve the Yanceyville Planning Board minutes from 12-17-14 contingent upon correcting grammar within the first sentence of the third page. The motion was seconded by Mr. McLean and passed with a unanimous vote.

4. Solar Ordinance Draft Review & Discussion

Manager Collie addressed the Board and went over the draft solar facility language that he had written as previously requested. Manager Collie had given the Board copies of the NC Solar Template and an article written by Adam Lovelady with the NC School of Government.

After much discussion and review Vice-Chairwoman Lea made a motion to recommend Council approve the below solar language into the Town's code.

"AN ORDINANCE TO AMENDING THE TOWN OF YANCEYVILLE ZONING ORDINANCE REGARDING SOLAR GENERATION FACILITY, UTILITY SCALE

THE TOWN OF YANCEYVILLE COUNCIL ORDAINS:

Section 1. Appendix (...) – Zoning, Article (.....) - Definitions of the Town of Yanceyville Zoning Ordinance is amended by adding the following definition ***Solar Generation Facility, Utility Scale*** and reads as follows:

Solar Generation Facility, Utility Scale - An installation, sometimes called a solar farm, principally designed and used to capture and convert solar energy into electric or thermal energy primarily for use off-site, such as transmission to the power grid. The area of the system includes all the land inside the perimeter of the system, which extends to any fencing. The term applies, but is not limited to, solar photovoltaic (PV) systems, solar thermal systems, and solar hot water systems.

Section 2. Article (...) – District Regulations, Section (.....) RA (Residential Agricultural), (.....) Uses Permitted with Conditions be amended by adding the following use:

(...). Solar generation facility, utility scale.

Section 3. Article (...) – Uses Permitted with Conditions be amended by adding ***Sec. (...) Solar generation facility, utility scale*** and will read as follows:

Sec (...) Solar generation facility, utility scale.

This use requires action by the Planning and Zoning Board and the Town of Yanceyville Council. Upon receipt in proper form of the written recommendations from the Planning and Zoning Board, the Town Of Yanceyville Council shall hold at least one public hearing on the proposed use.

Solar generation facilities on a utility scale are permitted in those districts specified as a special use, provided that the use and/or structure(s) shall conform to the minimum standards of the district and the following:

A. Setbacks. *The perimeter (fencing) of the area containing the solar generation facility shall be located at least 100 feet from the property line of adjoining properties.*

B. Security fencing. *The solar generation facility shall be enclosed by a chain-link security fence, a minimum of six feet in height with barbed wire.*

C. Poles and lines. *Except for poles and lines necessary to connect the facility to the electrical utility grid, the height of structures and arrays associated with the facility shall not exceed 20 feet, and structures and arrays shall be set back at least 100 feet from every public road right-of-way.*

D. Vegetative screening and buffers. *The screening or buffer yard shall be ten feet wide and consist of at least nine evergreen trees or shrubs per 100 linear feet or fraction thereof. The evergreen buffer must be capable of reaching a height of at least 6 feet within three years of planting, with at least 75% opacity at the time of planting. The screening or buffer shall be provided where the property on which the solar generation facility is located adjoins residential uses or public right of ways, unless the Town Council finds that equivalent natural vegetation exists sufficient to satisfy the screening requirement, or that the distance between the use and residences or public rights of ways renders all or certain portions of screening unnecessary.*

E. Streets and roads. *Prior to construction, the developer of the site shall consult with NCDOT regarding necessary driveway location and improvements to ensure safety and to protect the public road or street from damage during construction, and shall comply with such requirements.*

F. *The site shall conform to applicable storm water regulations, including water supply watershed protection regulations and river basin rules, to prevent erosion and protect water quality in adjacent surface waters. Prior to development of the site, the applicant/developer shall consult with the NC Division of Water Quality concerning compliance with applicable storm water management requirements.*

G. Building and electrical code. *All active utility scale solar energy systems shall comply with the requirements of the North Carolina State Building Code and the National Electrical Code, current edition.*

H. Site plan requirements *(shall be drawn by a licensed engineer or land surveyor)*

- 1. The location of the solar generation facility (including the arrangement of any existing or proposed buildings, structures, or panels);*
- 2. The distance from any proposed solar generation facility, structure, or use area to the surrounding property lines and surrounding residential structures within 1/8 mile (660 ft.).*
- 3. Any existing or proposed signs, fencing, lighting, parking areas, driveways, landscaping, vegetative screening or required buffers;*
- 4. Horizontal and vertical (elevation) scaled drawings with dimensions of proposed solar collector structures and lighting facilities;*
- 5. Noted limitations on built-upon area as required for compliance with storm water, watershed, and/or riparian buffer regulations;*
- 6. The electrical disconnect switch shall be clearly identified and unobstructed, and shall be noted clearly on the site plan; and*
- 7. Location where wiring is brought together for inter-connection to system components and/or the local utility power grid.*

I. Noise level. *Inverter noise shall not exceed 50dBA after construction, measured at the property line.*

J. Outdoor lighting. *All outdoor lighting shall be shielded to direct light and glare onto the system premises. Any glare by the system or outdoor lighting must be mitigated or directed away from adjoining property or adjacent roads when it creates a nuisance or safety hazard.*

K. Decommissioning.

1. *A decommissioning plan signed by the party responsible for decommissioning and the landowner (if different) addressing the following shall be submitted with permit application.*

- a. Defined conditions upon which decommissioning will be initiated (i.e. end of land lease, no power production for 12 months, etc.)*
- b. Removal of all equipment, conduit, structures, fencing, roads, and foundations*
- c. Restoration of property to condition prior to development of the solar generation facility.*
- d. The timeframe for completion of decommissioning activities.*
- e. Description of any agreement (e.g. lease) with landowner regarding decommissioning.*
- f. The party currently responsible for decommissioning.*
- g. Plans for updating this decommissioning plan.*

2. *A recorded copy of the decommissioning plan shall be submitted to the Town's Zoning Administrator prior to commencement of construction of the solar generation facility.*

L. Decommissioning Period. *Decommissioning shall be completed within 12 months of determination by the Town Manager that the facility is no longer being maintained in an operable state of good repair, unless the current responsible party with ownership interest in the facility provides substantial evidence to the Town's Council of the intent to maintain and reinstate operation of the facility.*

Section 4. All provisions of any Town ordinance in conflict with this ordinance are repealed.

Section 5. This ordinance shall become effective upon adoption.”

The motion was seconded by Mrs. Johnson and passed with a unanimous vote.

5. Other Business

Chairman Smith asked Manager, Brian Collie about the progress of the two (2) demolition projects that the Town recently moved forward on. Manager Collie informed the Board that the Town had recently sent out request for bids seeking professional demolition companies to tear down and remove the structures located at 198 Court Square, and 97 West Main, Yanceyville, N.C. 27379

6. Adjournment

Mrs. Sylvia Johnson made a motion to adjourn seconded by Vice-Chairwoman Lea. The motion passed with a unanimous vote of 4-0.

Respectively Submitted:

Fred Smith, Chairman

Brian Collie, Town Manager, prepared the above minutes. They represent a brief description of those matters that were addressed at this meeting. A detailed account of this meeting is available for review on tape at the Yanceyville Municipal Services Building.